

## MARIA ROSA BARDALES ARIAS

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JULY 20, 1951.—Committed to the Committee of the Whole House and ordered to be printed

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Mr. CHELF, from the Committee on the Judiciary, submitted the following

### REPORT

[To accompany H. R. 2503]

The Committee on the Judiciary, to whom was referred the bill (H. R. 2503) for the relief of Maria Rosa Bardales Arias, having considered the same, report favorably thereon with amendment and recommend that the bill do pass.

The amendment is as follows: Strike out all after the enacting clause and insert in lieu thereof the following:

That for the purposes of the immigration and naturalization laws, Maria Rosa Bardales Arias shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this Act, upon payment of the required visa fee and head tax. Upon the granting of permanent residence to such alien as provided for in this Act, the Secretary of State shall instruct the proper quota officer to deduct one number from the appropriate quota for the first year that such quota is available.

#### PURPOSE OF THE BILL

The purpose of this bill, as amended, is to grant the status of permanent residence in the United States to a native and citizen of Spain. The bill also provides for the appropriate quota deduction and for the payment of the required visa fee and head tax.

#### GENERAL INFORMATION

The pertinent facts in this case are contained in a letter dated September 29, 1950, from the Deputy Attorney General to the chairman of the Committee on the Judiciary, regarding a bill (H. R. 6851)

then pending for/the relief of the same person. The said letter reads as follows:

SEPTEMBER 29, 1950.

HON. EMANUEL CELLER,  
Chairman, Committee on the Judiciary,  
House of Representatives, Washington, D. C.

MY DEAR MR. CHAIRMAN: This is in response to your request for the views of the Department of Justice with respect to the bill (H. R. 6851) for the relief of Maria Rosa Bardales Arias, an alien.

The bill would provide that, in the administration of the immigration laws, Maria Rosa Bardales Arias shall be considered to have been lawfully admitted into the United States for permanent residence as of September 6, 1947. It would further direct the Secretary of State to instruct the quota-control officer to deduct one number from the appropriate immigration quota.

The files of the Immigration and Naturalization Service of this Department disclose that the alien was born on October 16, 1898, at Alevia, Oviedo, Spain. She last entered the United States at the port of San Antonio, Tex., on September 6, 1947, and was admitted to September 1, 1948, for medical treatment, under the provisions of section 3 (2) of the Immigration Act of 1924. A \$500 departure bond was posted on her behalf in September 1948. Two extensions of her temporary stay were granted, the last of which expired on July 1, 1949.

When interviewed on March 3, 1950, she stated that from the date of her birth until 1946 she resided with her mother in Spain; that after the death of her mother she came to the United States in June 1946, in transit to Mexico, and proceeded to Mexico in accordance with the terms of her admission; that when she first entered the United States in 1946 she had no intention of remaining here and that when she returned in 1947 it was her intention to extend her visit as long as possible and then proceed to Venezuela for permanent residence; that it was never her intention to remain in the United States illegally; that her brother and his family accompanied her to Mexico in June 1946, and returned with her in 1947 principally because of her health; and that she has never been employed in the United States but does assist her sister-in-law with household chores.

The alien's brother, John Arias, is a naturalized citizen of the United States and since his sister's entry into this country in 1946, he has supported her and, previously had supported his mother and sister in Spain since prior to 1930. He is self-employed as an exporter of haberdashery to Mexico and Latin America, with headquarters in New York City, and his 1949 income was about \$5,000. He stated that if his sister is permitted to remain in the United States he will support her for the rest of her life. The alien has undergone two operations on her eye, one prior to her departure for Mexico in 1946, and one following her return to the United States in 1947. It is alleged that it would be extremely difficult for her to be self-supporting although at the present time her condition is reported as fairly good. There is nothing in the record to indicate that she is not a person of good moral character.

The quota of Spain, to which the alien is chargeable, is oversubscribed and an immigration visa is not readily obtainable. The record, however, fails to present considerations of sufficient merit to warrant enactment of special legislation granting her a preference over other persons chargeable to the same quota.

Accordingly, this Department is unable to recommend enactment of the bill.

Yours sincerely,

PEYTON FORD,  
Deputy Attorney General.

Mr. Javits, the author of this bill, appeared before a subcommittee of the Committee on the Judiciary and urged the enactment of this legislation.

The committee, upon consideration of all the facts in this case, is of the opinion that H. R. 2503, as amended, should be enacted and it accordingly recommends that the bill do pass.